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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,987	11/01/2005	Anrea Nicholini	2503-1146	6531
466 7590 02/06/2007 YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			EXAMINER KIM, SHIN H	
			ART UNIT 3611	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/06/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/531,987

Applicant(s)

NICHOLINI ET AL.

Examiner

Shin Kim

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/20/2005</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "5" has been used to designate both hole and LED lights. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 12. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "said diffusing layer" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the image" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "said diffuser" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "the image" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "the sign" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "said diffuser" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the sheets" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the base" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the diffuser" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the image" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "the image support sheet" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the images" in line 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joseph W. Darnell et al U.S. Patent 2,998,667 (Darnell) in view of Thomas I. Bradshaw et al U.S. Patent 4,952,023 (Bradshaw) further in view of Ellen O. Aeling et al U.S. 2002/0011016 A1 (Aeling).

1. Regarding claim 1, Darnell discloses a display device comprising a sheet made of light diffusing material (Figure 3 Element 31); lighting means (Element

32); a medium made of transparent material with the image (Element 20).

Darnell does not directly disclose a sheet of plastic with at least one surface comprised of micro grooves to form a matte surface. Bradshaw teaches Darnell an outer rough surface in the display (Column 5, Lines 21-26). Darnell does not directly disclose the lighting means to be LEDs. Aeling teaches Darnell in view of Bradshaw an LED lighting means (Paragraph 0005).

Therefore it would have been obvious to a person of ordinary skill in the art to modify Darnell as taught by Bradshaw as further taught by Aeling to include Bradshaw's rough textured surface and Aeling's LED lights. Such a modification would provide a favorable light distribution throughout the illuminated display.

2. Regarding claim 2, Darnell discloses the display device is comprised of an image that is a sign (Figure 2).

3. Regarding claim 4, Darnell discloses the lighting means to be fitted to a removable support, separate from the sheets that form the base of the diffuser and the image support screen (Figure 3, 4).

4. Regarding claim 5, Darnell discloses a perimeter frame consisting of an opening structural section that allows rapid replacement of an image (Figure 4).

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5. Regarding claim 6, Darnell discloses the image to be on a sliding tape fitted in front of the diffuser (Figure 3).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Darnell in view of Bradshaw in view of Aeling further in view of William P. Winters et al U.S. Patent 6,817,738 (Winters).

1. Regarding claim 3, Darnell in view of Bradshaw in view of Aeling does not directly disclose the material of the display panel to be made of plexiglass. Winters discloses a display device wherein the panel is made of plexiglass (Column 2 Lines 3-5)

Therefore it would have been obvious to a person of ordinary skill in the art the time the invention was made in modify Darnell in view of Bradshaw in view of Aeling to include Winters' plexiglass panel. Such a modification would allow the display to transmit more light and to maintain durability.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin Kim whose telephone number is 571-272-7788. The examiner can normally be reached on (Monday - Friday) (8AM - 5PM).

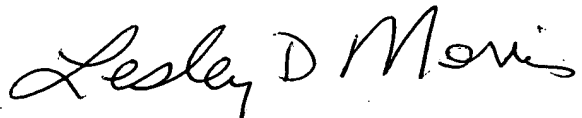
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Shin Kim  
Patent Examiner



LESLEY D. MORRIS  
SUPERVISOR, PATENT EXAMINER  
TECHNOLOGY CENTER 3600